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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA,) No. CR-09-089-RHW
7 Plaintiff,) ORDER FOLLOWING
8 v.) INITIAL APPEARANCE
9 TIMOTHY A. SHELLY,) ARRAIGNMENT
10 Defendant.) MOTION GRANTED
11) (Ct. Rec. _____)
12) ACTION REQUIRED

13 Date of hearing: August 20, 2009

14 Indictment

15 Defendant was advised of, and acknowledged, Defendant's rights.

16 Defendant, on Defendant's plea(s) of not-guilty, is bound over
17 to the United States District Court for trial.

18 Defendant, personally and through counsel, waived Defendant's
19 right to a probable cause hearing.

20 Bail hearing set:

Tues. Aug. 25, 2009
(Date)

2:00 p.m.
(Time)

21 Judge Imbrogno Judge Hutton

22 Spokane Video Conference (Parties in Spokane)
23 Judge Imbrogno calendar (Judge Hutton presiding)

24 Yakima Video Conference (Parties in Yakima)
25 Judge Hutton calendar (Judge Imbrogno presiding)

26 Pending the hearing, Defendant shall be detained in the
27 custody of the United States Marshal and produced for the
hearing or until further order of the court.

- 1 The U.S. Probation Office personnel shall prepare a Pretrial
2 Services Report prior to the bail hearing, and shall notify
3 defense counsel prior to interviewing Defendant.
4 Defendant, personally and through counsel, waived the right to
a bail hearing.

5 Defendant shall be held in detention pending disposition of
6 this case or until further order of the court. Defendant
7 may petition the court to reopen the detention issue by
8 written motion to amend and request for hearing, served upon
9 the United States Attorney. Defendant is committed to the
custody of the U.S. Marshal for confinement separate, to the
extent practicable, from persons awaiting or serving
sentences or being held in custody pending appeal.
Defendant shall be afforded reasonable opportunity for
private consultation with counsel.

- 10 Defendant is detained for failing to show:

- 11 Defendant will not flee if released
12 Defendant does not pose a danger to the community
13 Defendant is supervisable if released

14 FED. R. CRIM. P. 32.1(a)(1); Fed. R. Crim. P. 46c.

- 15 The United States did not seek detention.

- 16 A separate Order will issue setting forth conditions of
release.

17 The United States represents this matter appropriately may
proceed in an expedited manner. Accordingly, within thirty
18 (30) days of the date of this Order, the United States
Probation Office is directed to prepare an expedited
19 presentence investigation report. Any information about
Defendant, including family and community ties, which defense
20 counsel, after consultation with Defendant, deems important to
be included in the presentence investigation report, shall be
21 provided to the U.S. Probation Office within fourteen (14)
days of this Order.

22 Within one week of the date of this Order, Defendant is
23 directed to file a waiver of the FED. R. CRIM. P. 32(e)(f)(g)
provisions as to the presentence investigation report.

- 24 The United States has advised this matter is not eligible for
expedited consideration.

- 1 The United States was unable to advise whether this matter is
2 expedited-track eligible. The United States is directed to
3 notify the trial judge and Defendant, by filed Notice within
4 7 days, as to whether this matter is eligible for expedited
consideration, in which case the United States Probation
Office will be directed to prepare an expedited case
investigation.
- 5 The U.S. Probation Office personnel shall prepare a Pretrial
6 Services Report, limited to criminal history, and without
interviewing Defendant.
- 7 Directive(s) to U.S. Marshal: _____

8 _____
9 _____
10 Other: No pretrial report needed as one was
11 prepared in Michigan.
12 _____
13 _____
14 DATED: August 20, 2009.

15 
16 CYNTHIA IMBROGNO
17 UNITED STATES MAGISTRATE JUDGE